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5 Attorney for Plaintiff
6 TB #14-73163

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 U.S. BANK, NATIONAL ASSOCIATION,
10 Plaintiff,

11 vs.

12 SFR INVESTMENTS POOL 1, LLC, a
13 Nevada Limited Liability Company; DOES 1
14 through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

15 Defendants.
16

Case No.: 2:15-cv-00287-APG-GWF

17 **NOTICE OF CONSTITUTIONAL CHALLENGE**

18 Pursuant to Fed. R. Civ. P. 5.1(a), please take notice that Plaintiff U.S. Bank, National
19 Association (“hereinafter the Plaintiff”) has challenged the constitutionality of NRS 116.31162
20 through 116.311638 in its Complaint filed on February 18, 2015. [Dkt No. 1]. The Plaintiff
21 contends these statutes violate the Property Clause and the Supremacy Clause of the United
22 States Constitution because the Federal Housing Administration has an interest in the deed of
23 trust which is the subject of this action which is protected by the Property Clause and the
24 Supremacy Clause of the United States Constitution. The Plaintiff also contends these statutes
25 violate the Due Process Clauses and the Takings Clauses of the United States Constitution and
26 the Nevada Constitution, as detailed more fully in the Plaintiff’s Opposition to SFR Investments
27 Pool 1, LLC’s Motion to Dismiss Complaint. [Dkt No. 11].
28

1 Furthermore, pursuant to Fed. R. Civ. P. 5.1(a)(2), on April 29, 2016, the Plaintiff
2 provided notice to the Office of the Attorney General for the State of Nevada. A copy of the
3 correspondence is attached hereto as Exhibit 1.

4 DATED this 29th day of April, 2016.

5
6 **TIFFANY & BOSCO, P.A.**

7
8 /s/ Kevin S. Soderstrom

9 _____
10 GREGORY L. WILDE, ESQ.
11 Nevada Bar No. 4417
12 KEVIN S. SODERSTROM, ESQ.
13 Nevada Bar No. 10235
14 212 S. Jones Boulevard
15 Las Vegas, NV 89107
16 Attorney for Plaintiff
17 U.S. Bank, National Association

18 **CERTIFICATE OF SERVICE**

19 I hereby certify that on this 29th day of April 2016, I electronically transmitted the above
20 NOTICE OF CONSTITUTIONAL CHALLENGE to the Clerk's Office using the CM/ECF
21 System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all
22 counsel being registered to receive Electronic Filing.

23 I further certify that on this 29th day of April 2016 I placed a copy of the above NOTICE
24 OF CONSTITUTIONAL CHALLENGE into a sealed envelope and mailed it via regular mail,
25 postage prepaid, addressed to:

26 Adam P. Laxalt
27 Office of the Attorney General
28 State of Nevada
101 North Carson Street
Carson City, Nevada 89701

/s/ Jessica A. Moore

An employee of Tiffany & Bosco, P.A.

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EXHIBIT 1



**TIFFANY
& BOSCO**
P.A.

Attorneys At Law
LAS VEGAS, NV OFFICE
Matthew D. Dayton
Matthew K. Schriever
Kevin S. Soderstrom
Gregory L. Wilde

April 29, 2016

Via Certified Mail, Return Receipt Requested

Office of the Attorney General
State of Nevada
101 North Carson Street
Carson City, Nevada 89701

Re: *U.S. Bank, National Association v. SFR Investments Pool 1, LLC*
United States District Court, Case No. 2:15-cv-00287-APG-GWF
TB #14-73163

To Whom It May Concern:

Pursuant to Fed. R. Civ. P. 5.1(a), please take notice that, in the above referenced action, Plaintiff U.S. Bank, National Association is challenging the constitutionality of NRS 116.3116, as detailed in the enclosed Complaint and Opposition to SFR Investments Pool 1, LLC's Motion to Dismiss Complaint filed in the above-referenced matter on February 18, 2015 and June 22, 2015, respectively.

If you have any questions, please feel free to contact me at any time.

Truly yours,

Kevin S. Soderstrom, Esq.

Encl: Complaint
Opposition to SFR Investments Pool 1, LLC's Motion to Dismiss Complaint